

SENATOR RASMUSSEN: Mr. President, members of the body, as far as my knowledge I thought LB 64 was dead. I hadn't seen the moratorium amendment on my desk. Perhaps I'm wrong. I would address the resolution. If you will recall, yesterday or the day before, when we had the debate on LB 64, I quoted a warden that was before the Committee on Committees that said a 30 year sentence, in essence, was nothing. The resolution that Senator Barnett has today is nothing. I dug back, I didn't but I had the legal counsel for the Department of Corrections do it. If the resolution, as on our desk today, was passed the 30 year mandatory sentence, do you realize what it could be? Anybody sentenced under that could be released in 15 years 5 months and 2 days. Now if you think that's a mandatory sentence, you are wrong.

PRESIDENT: Senator Koch.

SENATOR KOCH: Mr. President, I move the previous question.

PRESIDENT: Do I see five seconds? The question is shall debate now cease. Record your vote. Please vote. Record.

CLERK: 12 ayes, 21 nays to cease debate, Mr. President.

PRESIDENT: Motion fails. Senator Simon.

SENATOR SIMON: Mr. President, members of the Legislature, let me first start off and correct a statement that Senator Rasmussen made because it's totally incorrect. That is, and we went through this last year very carefully with the amendment to LB 64, by adding the provision that good time shall not apply. This Legislature, if it so deems, can set up a minimum sentence of 30 years with no provisions for parole, with no way for the person to get off for good time. Senator Rasmussen's statement is totally incorrect. I want the record to reflect that. I think further checking by Senator Chambers or myself can show exactly how that's computed. I don't have the figures here. That statement is totally erroneous. I would hope that this body would recognize it for that intent because we went through this last year. I'm sorry I didn't get a chance to hear Senator DeCamp's neo-Nazi speech and McCarthyism, when he was talking about the Sunshine bill the other day, because I would say that his speech left a little bit to be desired today in comparison with that fine speech, as I understand it. But in his statement today, John did make some comments which I think are false and are fallacious in nature. Senator DeCamp would say that if we would adopt LR 63, with the intent that if that were passed by the people that we would incorporate this into our judicial system, that we would "upset" the judicial system. I would suggest that the barbaric method that we currently have of executing people, Senator DeCamp, is upsetting our own judicial system. The extension of one years time, and that's all we're talking about now, the extension of one years time, to let the people vote on this issue, is not going to cause the walls to come tumbling down as Senator DeCamp would have you believe. I think that Senator Barnett has offered a reasonable approach, has offered something that is a possible solution to a problem that some of you have. Unfortunately, Senator DeCamp, all of us here don't have the same convictions that you do, one way or the other. If everybody felt the way that Senator Chambers and I did, or the way that you did, we could resolve this issue. But as you know, Senator DeCamp, very few things are black or white around here, many of them are gray. It's that gray area